

Senate Bill No. 1165

CHAPTER 713

An act to add Section 33545 to, to add Article 7 (commencing with Section 49380) to Chapter 8 of Part 27 of Division 4 of Title 2 of, and to add Chapter 5.8 (commencing with Section 51950) to Part 28 of Division 4 of Title 2 of, the Education Code, relating to pupil instruction.

[Approved by Governor September 28, 2014. Filed with
Secretary of State September 28, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1165, Mitchell. Pupil instruction: sexual abuse and sex trafficking prevention education.

Existing law requires the Instructional Quality Commission, during the next revision of the publication "Health Framework for California Public Schools," to consider developing, and recommending for adoption by the State Board of Education, a distinct category on mental health, as specified.

This bill would require the commission to consider including a distinct category on sexual abuse and sex trafficking prevention education, as specified, when the health framework is next revised after January 1, 2015.

Existing law, the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act, authorizes school districts to provide comprehensive sexual health education, as defined, in kindergarten and grades 1 to 12, inclusive, and requires school districts to ensure that all pupils in grades 7 to 12, inclusive, receive HIV/AIDS prevention education, unless the pupil is excused, as specified.

This bill would also authorize a school district to provide sexual abuse and sex trafficking prevention education, as defined. The bill would encourage school districts to collaborate with outside consultants, including law enforcement, with expertise in sexual abuse and sex trafficking prevention education in order to create school safety plans to address these issues.

The people of the State of California do enact as follows:

SECTION 1. Section 33545 is added to the Education Code, to read:

33545. When the "Health Framework for California Public Schools" (health framework) is next revised after January 1, 2015, the commission shall consider including a distinct category on sexual abuse and sex trafficking prevention education that includes, but is not limited to, all of the following:

(a) Information on different forms of sexual abuse and assault; discussion of prevention strategies; how to report sexual abuse or suspected sexual abuse; and local resources for victims.

(b) Discussion of healthy boundaries for relationships; how to recognize potentially harmful and abusive relationships; and refusal skills to overcome peer pressure and to avoid high-risk activities.

(c) Information on sex trafficking and risk factors; the recruiting tactics of sex traffickers and peer recruiters, including recruitment through the Internet; how to report sex trafficking or suspected sex trafficking; and local resources for victims.

(d) Discussion of legal aspects of sexual abuse and sex trafficking under state and federal laws.

(e) Discussion of how culture and mass media influence and desensitize our perceptions of sexual abuse and sex trafficking, including, but not limited to, stereotypes and myths about the victims and abusers, victim blaming, and the role of language. This instruction shall emphasize compassion for people who have suffered from sexual abuse or sex trafficking, and support positive reentry experiences for survivors returning to school.

SEC. 2. Article 7 (commencing with Section 49380) is added to Chapter 8 of Part 27 of Division 4 of Title 2 of the Education Code, to read:

Article 7. Sexual Abuse and Sex Trafficking Prevention

49380. (a) A school district is encouraged to collaborate with outside consultants, including law enforcement, with expertise in sexual abuse and sex trafficking prevention education in order to create a school safety plan to address the threat of sexual abuse and sex trafficking.

(b) A school district is encouraged to collaborate with law enforcement on a referral protocol for high-risk pupils and minors.

(c) In-service training may be conducted periodically to enable school district personnel to learn about new developments in the understanding of sexual abuse and sex trafficking, and to receive instruction on current prevention efforts and methods. A school district is encouraged to include training on early identification of sexual abuse and sex trafficking of pupils and minors.

SEC. 3. Chapter 5.8 (commencing with Section 51950) is added to Part 28 of Division 4 of Title 2 of the Education Code, to read:

CHAPTER 5.8. SEXUAL ABUSE AND SEX TRAFFICKING PREVENTION EDUCATION

51950. (a) A school district may provide sexual abuse and sex trafficking prevention education.

(b) For purposes of this section, “sexual abuse and sex trafficking prevention education” means instruction on the prevalence and nature of

sexual abuse and sex trafficking, strategies to reduce their risk, techniques to set healthy boundaries, and how to safely report an incident.

(c) A parent or guardian of a pupil has the right to excuse his or her child from all or part of sexual abuse and sex trafficking prevention education, and assessments related to that education.

(d) The department may make available on the department's Internet Web site resources on sexual abuse and sex trafficking prevention for professional learning purposes, and relevant materials for parents and guardians of pupils.

(e) A school district is encouraged to collaborate with law enforcement on intervention programs for high-risk pupils and minors.

(f) In-service training may be conducted periodically to enable school district personnel to learn about new developments in the understanding of sexual abuse and sex trafficking, and to receive instruction on current prevention efforts and methods. A school district is encouraged to include training on early identification of sexual abuse and sex trafficking of pupils and minors.